

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KARAMJEET S. PAUL
Petitioner

vs.

CIVIL ACTION
No. 04-40037-RCL

DAVID L. WINN
Respondent

MOTION FOR MODIFICATION OF ORDER DATED 3/17/04 AND FOR OTHER RELIEF

1. The Petitioner respectfully moves that the Order of this Court dated 3/17/04 be modified by deleting in its first paragraph the words "the office of Immigration and Naturalization" and by inserting in place thereof the words "David L. Winn, Warden, Federal Medical Center Devens."

In support thereof, the Petitioner states that Rule 4(b) of the Rules Governing Section 2255 Proceedings does not require a notice to the Office of Immigration and Naturalization, and the Petitioner is a United States citizen by naturalization in 1979. The Petitioner has been unable to find any "Rules Governing 2241 cases" and assumes that the rule cited here is the one intended by the Court.

2. For further relief, the Petitioner requests that the Court modify the Order in paragraph 2 by shortening the time within which the Respondent shall file an answer or other responsive pleading from "60 days of receipt of this Order" to 20 days of receipt of the Order.

In support of this request, the Petitioner states that the relief sought by the Petitioner, to be full and effective, must be granted no later than August 11, 2004 and not be subjected to any stays pending any appeals. In addition, if successful, the relief may take the form of an order to the Respondent Warden Winn to process the Petitioner's transfer

to a halfway house and the Respondent may properly require a brief period of time to do so. Therefore, the shortening of 60 days to 20 days will provide additional time for the Court and, if necessary, the Respondent to proceed with this case without a threat of its being mooted by the passage of time or the relief to which the Petitioner is entitled to being diminished.

Further, this Petition raises the same issues of law as have been raised in approximately six other cases in this district within the past year and the facts in this Petition are similar to those in these prior cases, all of which have been defended by the U.S. Attorney's office and consequently that office is very experienced in filing responsive pleadings to petitions of this type.

Dated: March 22, 2004

RESPECTFULLY SUBMITTED,

KSPaul

KARAMJEET S. PAUL, Pro Se
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P.O. Box 879
Ayer, MA 01432

~~cc: David L. Winn, Warden, FMC Devens~~
~~U.S. Attorney~~
~~Office of the U.S. Attorney General~~

CERTIFICATE OF SERVICE

I hereby certify that I have served this date a copy of Motion For
Modification of Order Dated 3/17/04 And For Further Relief by first-class
U.S. mail upon:

Michael Sullivan
U.S. Attorney
District of Massachusetts
1 Courthouse Way, Suite 9200
Boston, MA 02210

Hon. Reginald C. Lindsay
U.S. District Judge
District of Massachusetts
1 Courthouse Way
Boston, MA 02210
Attn.: Clerk of the Court

KSPaul

Dated: March 22, 2004

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